

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
United States of America,)	
)	
v.)	
)	CRIMINAL NO. 05CR10214MLW
Florentino Ruidiaz, Jr.)	
_____)	

**MOTION TO CONTINUE "RULE 11" DATE AND EXCLUDE PERIOD
FOR PURPOSES OF "SPEEDY TRIAL ACT"**

The defendant requests that this matter be continued. Further, the defendant specifically requests that the time period between today's date and the new date be excluded from the time period.

In support the defendant states that the undersigned counsel is fully engaged in a jury trial which commenced Monday, December 4, 2006 (U.S.D.C. 00-10376-GAO). Further, the week between Thanksgiving and the trial was consumed by trial preparation. Mr. Ruidiaz is incarcerated in Plymouth.

The United States has tendered a written plea agreement which would preserve Mr. Ruidiaz's rights of appeal. Given the evidence the court has already heard, it can be stated objectively without revealing privileged communications, that this agreement is in the best interest of judicial economy. Mr. Ruidiaz was visited by an associate of the undersigned during that week, and the agreement was presented to him. Mr. Ruidiaz and I spoke briefly over the telephone as well. However, the undersigned did not have the opportunity during this period to personally discuss these matters with him in detail.

The undersigned states that it is his belief that Mr. Ruidiaz is likely to change his pleas,

and this matter will be resolved without a trial.

Respectfully Submitted,
Florentino Ruidiaz, Jr.,
By his attorney,

/s/ Robert S. Sinsheimer
B.B.O No. 464940
Denner Pellegrino, LLP
4 Longfellow Place, 35th Floor
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Dated: December 6, 2006

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF System will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on December 6, 2006.

/s/ Robert S. Sinsheimer